

PSJ3

Exhibit 445

From: "Norton, Rita" <RNorton@amerisourcebergen.com>
Sent: Thu, 24 Mar 2011 14:54:05 -0400 (EDT)
To: "Mays, Steve" <SMays@amerisourcebergen.com>, "Zimmerman, Chris" <CZimmerman@amerisourcebergen.com>, "Howell, Peyton" <peyton.howell@absg.com>
Cc: "Reid, Shay" <SReid@amerisourcebergen.com>
Subject: RE: Please review prior to FGAC call on Thursday

With regard to the pedigree discussion, I said I agreed we should get together to find common ground. It is not a good situation with McK and HDMA having meetings on the Hill advocating for track and trace and for Cardinal to be running around say they oppose any legislation. Makes our industry look bad.
Thanks Steve for your contributions on the call on the pill mill legislation -- very helpful!
Rita

From: Mays, Steve
Sent: Thursday, March 24, 2011 2:28 PM
To: Zimmerman, Chris
Cc: Reid, Shay; Norton, Rita
Subject: RE: Please review prior to FGAC call on Thursday

It went fine. Connie from Cardinal wants HDMA to basically conduct an all day face to face national pedigree strategy discussion. Looks like all the differences are going to come to a head. McKesson stated they have not and are not changing their position. It might be a good thing to find some, if any common ground between the big three before HDMA starts going up on the hill. I'm not sure it will happen, so we had better have our ducks in a row on the issue before such a meeting takes place.

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From: Zimmerman, Chris
Sent: Thursday, March 24, 2011 12:51 PM
To: Mays, Steve
Subject: FW: Please review prior to FGAC call on Thursday

How did the call go?

From: Norton, Rita
Sent: Thursday, March 24, 2011 9:16 AM
To: Zimmerman, Chris; Brungess, Barbara; Mays, Steve; Reid, Shay; Denton, Jeff; Miller, Barbara
Cc: Beth Stafford; Howell, Peyton; Hogan, Brian
Subject: Re: Please review prior to FGAC call on Thursday

Chris and Steve, what about the anti counterfeit issues? Will either of you be on the call?

From: Zimmerman, Chris
To: Brungess, Barbara; Norton, Rita; Mays, Steve; Reid, Shay; Denton, Jeff; Miller, Barbara
Cc: Beth Stafford; Howell, Peyton; Hogan, Brian
Sent: Wed Mar 23 18:17:51 2011
Subject: RE: Please review prior to FGAC call on Thursday

I agree.

From: Brungess, Barbara
Sent: Wednesday, March 23, 2011 6:09 PM
To: Norton, Rita; Mays, Steve; Zimmerman, Chris; Reid, Shay; Denton, Jeff; Miller, Barbara
Cc: Beth Stafford; Howell, Peyton; Hogan, Brian
Subject: RE: Please review prior to FGAC call on Thursday

Rita—

The issue I have with the talking points on shortages is that they state that we try to ensure that urgent medical needs are met. We say that we try to ensure product is distributed in a fair manner. We don't try to discern who has the greatest need. I think that is an important issue for us.

I also don't like this phrase "HDMA members recognize their responsibility to ensure patient access to all life saving medicines". We try to help ensure access, but I don't think we want to take responsibility for a lack of access to product in a shortage situation.

Barbara

From: Norton, Rita
Sent: Wednesday, March 23, 2011 5:29 PM
To: Mays, Steve; Zimmerman, Chris; Reid, Shay; Denton, Jeff; Brungess, Barbara; Miller, Barbara
Cc: Beth Stafford; Howell, Peyton; Hogan, Brian
Subject: FW: Please review prior to FGAC call on Thursday

I feel comfortable recommending that HDMA support the Coalition for Patient Safety... (#1). I have a suspicion this is the same core group pushing the pedigree consortium. What do you think about #'s 2, 3, 4 and 5? Barbara and Barbara, how about the product shortages talking points?

From: Freitas, Kristen [mailto:kfreitas@hdmanet.org]
Sent: Tuesday, March 22, 2011 3:33 PM
To: Freitas, Kristen
Subject: Please review prior to FGAC call on Thursday

There are several issues we will be discussing on Thursday where we will be asking for your feedback. I realize some of you may need more time to review these bills and summaries internally and we can discuss that on Thursday.

- 1) Product theft legislation and the Coalition for Patient Safety and Medicine Integrity – please see my email below and the attached documents.
 1. Should HDMA join the coalition? HDMA staff recommends that because of the cost of the coalition that we do not join at this time, but remain in close contact with the Coalition and review the legislation once it is introduced.
- 2) "Pill Mill Crackdown Act of 2011" (H.R. 1065) – Please review the attached bill text and memo from HDMA's outside counsel.
 1. Will reclassifying hydrocodone combination products to a schedule II have an impact on your storage and handling capacities?
 2. Will the reclassification affect your ARCOS reporting or have any other negative effect on your operations?
- 3) DEA Talking Points – Please review the draft talking points and hill strategy documents to be used for our hill visits with House Appropriations members prior to the release of the GAO report.
- 4) Position Statements – I have attached two draft position statements:
 1. Product shortages – this is an emerging issue
 2. NASPER Reauthorization – in the last Congress we supported NASPER reauthorization in a press release that included other legislation
- 5) While we likely won't have time to discuss on Thursday's call, I have also attached a summary of Senator Rockefeller's pain management bill (S. 507) for your review.
 1. One question you may want to consider is whether the provision that prohibits for two years, providers from prescribing and pharmacy or opioid treatment clinics from distributing 40-mg methadone diskettes unless the prescription or dispensation is consistent with DEA policy, would be of concern for your company.

From: Freitas, Kristen
Sent: Friday, March 18, 2011 2:10 PM
To: Freitas, Kristen
Subject: Please review in advance of our FGAC call on March 24

To: Federal Government Affairs Committee (FGAC)

As we reported on the last FGAC call, Senator Schumer (D-N.Y.) announced he is drafting legislation to address pharmaceutical product theft. I have attached the most recent draft for your reference.

HDMA was approached by the Coalition for Patient Safety and Medicine Integrity to see if we would be interested in participating in their coalition. The coalition is actively working with Senator Schumer's office on the legislation. I have attached the Coalition's policy statement for your review.

QUESTION TO FGAC: Should HDMA join the Coalition for Patient Safety and Medicine Integrity? We will discuss this on our upcoming FGAC call on March 24.

- Official coalition members include: Johnson & Johnson, Eli Lilly, Novo Nordisk, GlaxoSmithKline, Abbott. Sanofi-Aventis has agreed to join and the contract with the coalition is being processed. It is also expected that PhRMA will join. Also supporting the coalition but not as official members: Merck, the Pharmaceutical Security Institute and the National Insurance Crime Bureau. The coalition will include both individual company members and trade associations.
- The Coalition has retained the services of Brownstein Hyatt Farber Schreck (see link below for bios of those representing the coalition). The total monthly dues of \$30,000 are shared by all coalition members equally. The current rate, based on the number of coalition members, is approximately \$4,500/month per member. HDMA has not budgeted for this expense but we can explore budget options if FGAC recommends that we join this group. The Executive Committee may ultimately need to approve this expense.

1. Jim Flood: <http://www.bhfs.com/People/jflood>
2. Will Moschella: <http://www.bhfs.com/People/wmoschella>
3. Alex Dahl: <http://www.bhfs.com/People/adahl>

Please let me know if you need additional information.

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